

5802 Bryn Mawr Road  
College Park, Maryland 20740  
January 21, 1993

Mr. William R. Nuttle  
Registered Surveyor  
P.O. Box 371  
Chestertown, Maryland 21620

Dear Mr. Nuttle:

I am enclosing a copy of a letter dated January 13, 1993 to me from Mr. James E. Thompson, Jr. along with a copy of your letter of January 12, 1993 to Mr. Thompson plus a copy of a Plat of a Survey of the Clarence M. Melvin, Jr. Lands dated Jan. 1993 that Mr. Thompson forwarded to me.

Mr. Thompson states in his letter of January 13, 1993 to me that "I was of the impression that you were requesting the line of use and possession between the Melvin property and the Hager property, in addition to what was supplied." Mr. Thompson is correct in his impression of this matter. Based upon our conversations with you at your office on October 19, 1992 and November 16, 1992 we were of the understanding that the following was agreed upon:

1. A resurvey would be made by you of the Melvin, Miller, and Booher Property (10/12/1984: EHP 170/171) to show that the wire fence-tree line is the boundary of our property and is 30 feet from the dwelling on Hager's property and not 50 feet as Mr. Hager informed you at the time of your survey of the property for Clarence Melvin, Jr. in April 1990. We are of the opinion that the wire fence-tree line is the boundary line of our property for the following reasons:
  - (a) The wire fence was already erected as a boundary line when our late father Clarence Melvin purchased the property (8/20/42: RAS 30/18).
  - (b) The late Clarence Melvin and Clarence M. Melvin, Jr. planted cedar trees in 1943 in fence line but did

not continue all the way to Chester River because our land extended over in back of the Academy Lot. Many of these cedar trees are still in the wire fence line.

- (c) The late Clarence Melvin maintained the land until his death in 1959 and our late mother, Lillian Melvin, had the land maintained until her death in 1983. Melvin, Miller, and Booher have maintained the property since the death of our mother, Lillian Melvin, up to the present time. We and our mother always had our employees mow the grass over to the wire fence-tree line which is 30 feet from the dwelling on the Hager property.
- (d) In 1911 and 1923 the Sanborn Map Company made surveys of the town of Millington and published maps for these surveys. It can be readily noted in the 1911 and 1923 plats of the Sanborn Map Company that the distance of the Academy building to our property line is not 50 feet as given in the Kahla to Hager Deed (3/1/89: EHP 273/146), but is approximately 30 feet. In 1950 it was reported by the Sanborn Map Company that its publications number more than 11,000 and include maps of every United States town of 2000 or more in population. It is stated by the Sanborn Map Company that "These maps always have been accepted as the most accurate and detailed Building and Construction record extant." It is further stated that "Various governmental agencies, federal, state, county and municipal, now rely on Sanborn Maps to save costly field inspections and as a means of permanently recording valuable information from time to time." According to Walter W. Ristow of the Library of Congress "To ensure uniform standards of accuracy and percision on its maps the Sanborn Company published in 1905 a Surveyors' Manual for the Exclusive Use and Guidance of Employees. A number of subsequent editions were published of this comprehensive and detailed instruction book."
- (e) In your letter of May 21, 1992 to Mr. J. Elmer Thompson you submitted a plat of the Ringgold to Crane Deed (3/19/1853: JFG 1/286) that is in our chain of title which shows that the frontage of our property along Cypress street is 151.14 feet and

not 140.55 feet as given in your survey of April 1990 for Clarence M. Melvin, Jr. The plat also shows the boundary line of our property to be 39 feet from the dwelling on the Hager property and not 50 feet as given in the survey dated April 1990 that you did for Clarence M. Melvin, Jr. In your letter of May 21, 1992 to Mr. J. Elmer Thompson it is stated that "I talked to Mr. Hager about the discrepancy between the existing fence and a line 50' off from the side of the building. He indicated to me that as far as he knew the present house was the one referred to. He showed me a recent "house location" by a surveyor showing the property line 50' from the side of the building. Without any description from the Melvin deed, I observed the 50' offset." Our brother, Clarence M. Melvin, Jr. has informed us that he told you at the time of the survey in April 1990 that the property line was the wire fence-tree line which is 30 feet from the dwelling on the Hager Property. It appears from your letter of May 21, 1992 to Mr. Thompson that you used a recent "house location" by a surveyor for establishing the boundary line for your survey of April 1990 for Clarence M. Melvin, Jr. In documents that have been provided to us by Mr. Thompson we find that an "Improvements Location Plat" dated February 16, 1989 was prepared by Rauch, Walls, and Lane, Inc. at the instruction of Robert Dennis Hager. This "Improvements Location Plat" is not a property line survey according to information provided by Rauch, Walls, and Lane, Inc. The length of the dwelling is given as 76.4 feet on the "Improvements Location Plat" prepared by Rauch, Walls, and Lane, Inc. and in your letter to me of December 5, 1992 the length is given as 79.9 feet. In the original grant of Gilpin dated February 22, 1813 the Academy Building is shown as being 20 feet X 40 feet and is 50 feet from our property line. However, Mr. Hager has not provided any proof that the side of the present building is at the same location as the original Academy Building that was 20 feet X 40 feet. In fact the 1911 and 1923 plats of the Sanborn Map Company show the Academy Building to be approximately 30 feet from our property line and your plat of the Ringgold to Crane Deed (3/19/1853: JFG 1/286 shows

that our property line is 39 feet from the dwelling on the Hager Property. Based upon these facts it was our understanding from our meetings with you on October 19, 1992 and November 16, 1992 that you were going to carry out a resurvey to correct the boundary line of the Melvin, Miller, and Booher Property so that it is not 50 feet from the side of the dwelling on the Hager Property, but it is at the wire fence-tree line which is 30 feet from the dwelling on the Hager Property.

2. A resurvey would be made by you of the Melvin, Miller, and Booher Property to include the area that we own between the Academy Lot and the Chester River according to the Ringgold to Crane Deed (3/19/1853: JFG 1/286). A copy of this plat was submitted with your letter of May 21, 1992 to Mr. Thompson. The Ringgold to Crane Deed (3/19/1853: JFG 1/286) describes the property as "containing one acre one rood and eighteen perches" which is equivalent to 1.3625 acres. A calculation of the area in the plat that you submitted to Mr. Thompson with your letter of May 21, 1992 shows the area to contain 1.382 acres which confirms that your plat of the Ringgold to Crane Deed (3/19/1853: JFG 1/286) is correct. A calculation of the area in the plats of the 1911 and 1923 surveys by the Sanborn Map Company of the town of Millington shows that the Melvin, Miller, and Booher Property contains 1.411 acres which is in very close agreement with the Ringgold to Crane Deed and other deeds in our chain of title. A review of every deed in our chain of title since the time of the Crane to Millington Deed (1/22/1868: JKH 6/611) up to the present Melvin, Miller and Booher Deed (10/12/1984: EHP 170/171) shows the property description as remaining the same with the area of the parcel also remaining the same as "containing about one and a half acres, be the same, more or less."

In summary we are of the opinion that you agreed to do a resurvey of our property based upon the Ringgold to Crane Deed (3/19/1853: JFG 1/286) that you provided to us in a plat dated October 1992. Listed on the enclosed plat of October 1992 are the revisions that we would like for you to include in your resurvey of the Melvin, Miller, and Booher Property. We do not feel the Plat of a Survey dated Jan. 1993 that you submitted to



Mr. Thompson with your letter of January 12, 1993 is what we agreed upon at our meetings with you on October 19, 1992 and November 16, 1992.

We would like to have the survey and plat of the Melvin, Miller, and Booher Property taken care of as soon as possible. If you feel it would be desirable, we will be glad to meet with you and Mr. Thompson regarding this matter.

We look forward to hearing from you in the near future.

Sincerely,



Patricia M. Miller

Enclosures

cc: Linda Lou Booher  
Clarence M. Melvin, Jr.  
James E. Thompson, Jr.

THOMPSON & THOMPSON  
ATTORNEYS AT LAW  
P.O. BOX 356  
118 NORTH COMMERCE STREET  
CENTREVILLE, MARYLAND-21617

JAMES E. THOMPSON, JR.  
JEFFREY E. THOMPSON

(410) 758-0877

TELEFAX:  
(410) 758-2305

January 13, 1993

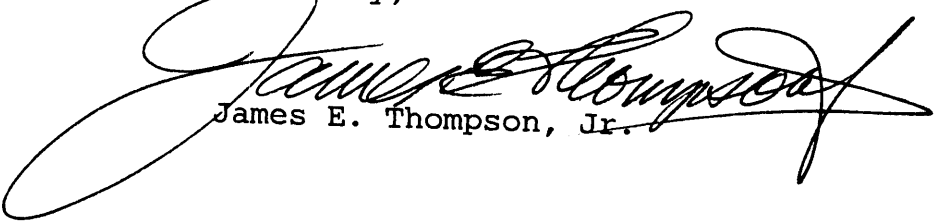
Dr. & Mrs. James Miller  
5802 Bryn Mawr Road  
College Park, Maryland 20740

Dear Dr. & Mrs. Miller:

Enclosed is the survey prepared by Bill Nuttle, together with his note to me.

I was of the impression that you were requesting the line of use and possession between the Melvin property and the Hager property, in addition to what was supplied.

Sincerely,

  
James E. Thompson, Jr.

JETJr/bjg  
Enclosure

**WILLIAM R. NUTTLE**  
Registered Surveyor  
CHESTERTOWN, MD. 21620

January 12, 1993.

J. Elmer Thompson, Atty.  
118 N. Commerce St.  
Centreville, Md. 21617

Dear Elmer:

Enclosed are copies of my survey of the Melvin property in Millington, including the area in dispute. I am not real sure what good this will do any one, but this is what the family wanted. Keep me informed as things develop.

*Bill*

April 27, 1993

Items to Review at Meeting with Mr. Nuttle and Mr. Thompson  
on April 28, 1993 at Mr. Thompson's Office

1. Records at the Maryland Historical Trust

- We have found in records at the Maryland Historical Trust that a Historic Site Survey was carried out in August 1977 of the Millington Academy. It is reported in this survey that the original brick schoolhouse is the four west bays not including the addition of one bay on the far west side (Exhibit A). The original schoolhouse was laid in Flemish bond on the facade and common bond at the sides and rear. We have held a meeting with the architect who did the Historic Site Survey of the Millington Academy and she confirmed that the four west bays represent the original brick schoolhouse. This original brick schoolhouse in the early land records is shown as 20 feet X 40 feet, and the east side of the original schoolhouse is 50 feet from the Melvin, Miller and Booher property line (Exhibits B, C, and C1).

2. Rauch, Walls, and Lane, Inc. Improvements Location Plat Dated 2/16/89

- We have drawn in red color the location of the original 20 feet X 40 feet brick schoolhouse on the Rauch, Walls, and Lane, Inc. Improvements Location Plat dated 2/16/89 (Exhibit D). It can be noted that the east side of the original brick schoolhouse that is drawn in red color is 50 feet from the wire fence which is the Melvin, Miller and Booher property line. This confirms that the east side of the original brick schoolhouse (the four west bays not including the addition of one bay on the far west side) is 50 feet from the wire fence-tree line and that the present building is 30 feet from the wire fence-tree line which is our property line.
- In Mr. William R. Nuttle's letter of May 21, 1992 to Mr. J. Elmer Thompson, Jr. it is stated that "I talked to Mr. Hager about the discrepancy between the existing fence and a line 50' off from the side of the building. He indicated to me that as far as he knew the present house was the one referred to. He showed me a recent "house location" by a surveyor showing the property line 50' from the side of the building. Without any description from the Melvin deed, I observed the 50' offset." (Exhibit E). It is very clear from the evidence available at this

time that Mr. Hager gave Mr. Nuttle incorrect information as to the location of the Melvin, Miller, and Booher property line.

3. State of Maryland Department of Transportation State Highway Administration, State Roads Commission Plat No. 53338 dated July 30, 1992.

- Please note that the property line on west side of Melvin, Miller, and Booher parcel of land in Plat No. 53338 (Exhibit F) is based upon a survey by William R. Nuttle in April 1990. The William R. Nuttle survey of April 1990 is incorrect because Robert Dennis Hager gave Mr. Nuttle incorrect information as to the location of the original schoolhouse.
- Plat No. 53338 shows cedar trees in wire fence-tree line. The wire fence was already erected as a boundary line when our late father Clarence Melvin purchased the property (8/20/42: RAS 30/18). The late Clarence Melvin and Clarence M. Melvin, Jr. planted cedar trees in 1943 in the fence line but did not continue all the way to Chester River because our land extended over in back of the Academy Lot. A number of these cedar trees are still in the wire fence-tree line which is our property line and is 30 feet from the present building and 50 feet from the original schoolhouse.

4. Sanborn Map Company Surveys of the Town of Millington for 1911 and 1923

- The plat of the 1911 survey of Millington, Maryland by the Sanborn Map Company (Exhibit G) shows that the distance from the Academy building to our property line is not 50 feet as given in Kahla to Hager Deed (3/1/89: EHP 273/146) but is approximately 30 feet. The 1923 survey of Millington by the Sanborn Map Company also shows the boundaries for the Academy Lot and the Melvin, Miller, and Booher Lot to be the same.

5. Land Records and Survey of Melvin, Miller, and Booher Property

- We are of the opinion that the survey dated April 1990 (Exhibit G1) that was carried out by Mr. William R. Nuttle for Clarence M. Melvin, Jr. is not correct because the frontage on Cypress Street is given as 140.55 feet and it should be 160.55 feet. In addition, the plat does not show the land that we own in back of the Academy Lot that goes to the Chester River. Also, the plat shows an area of only 0.975 acres whereas the deeds in our chain of title give

our parcel of land as containing 1½ acres more or less.

- A letter of January 21, 1993 to Mr. William R. Nuttle from Patricia M. Miller (Exhibit H) gives a thorough review of the land records for our property and what was agreed upon in a resurvey of the Melvin, Miller, and Booher property in meetings with Mr. Nuttle on October 19, 1992 and November 16, 1992.
- A letter of February 16, 1993 to Mr. James E. Thompson, Jr. from Patricia M. Miller (Exhibit I) gives additional information on the resurvey of the Melvin, Miller, and Booher Property.

Sincerely,

Clarence M. Melvin, Jr.

Patricia M. Miller

Linda Booher

Enclosures

INVENTORY FORM FOR STATE HISTORIC SITES SURVEY

**1 NAME**

HISTORIC

AND/OR COMMON

Old Brick House

**2 LOCATION**

STREET & NUMBER

Cyprus Street

CITY, TOWN

Millington

STATE

Maryland

VICINITY OF

First

CONGRESSIONAL DISTRICT

COUNTY

Kent

**3 CLASSIFICATION**

CATEGORY

☐ DISTRICT

☒ BUILDING(S)

☐ STRUCTURE

☐ SITE

☐ OBJECT

OWNERSHIP

☐ PUBLIC

☒ PRIVATE

☐ BOTH

PUBLIC ACQUISITION

☐ IN PROCESS

☐ BEING CONSIDERED

STATUS

☒ OCCUPIED

☐ UNOCCUPIED

☐ WORK IN PROGRESS

ACCESSIBLE

☐ YES RESTRICTED

☐ YES UNRESTRICTED

☒ NO

PRESENT USE

☐ AGRICULTURE

☐ COMMERCIAL

☐ EDUCATIONAL

☐ ENTERTAINMENT

☐ GOVERNMENT

☐ INDUSTRIAL

☐ MILITARY

☐ MUSEUM

☐ PARK

☒ PRIVATE RESIDENCE

☐ RELIGIOUS

☐ SCIENTIFIC

☐ TRANSPORTATION

☐ OTHER

**4 OWNER OF PROPERTY**

NAME

Dr. Geza Koralewski

STREET & NUMBER

Cyprus Street

CITY, TOWN

Millington

VICINITY OF

STATE, zip code

Maryland 21651

Telephone #:(301) 928-3178

**5 LOCATION OF LEGAL DESCRIPTION**

COURTHOUSE,

REGISTRY OF DEEDS, ETC

Kent County Courthouse

STREET & NUMBER

Liber #: WH 645

Folio #: 83

CITY, TOWN

Chestertown

STATE

Maryland 21620

**6 REPRESENTATION IN EXISTING SURVEYS**

TITLE

DATE

☐ FEDERAL ☐ STATE ☐ COUNTY ☐ LOCAL

DEPOSITORY FOR  
SURVEY RECORDS

CITY, TOWN

STATE

Exhibit A

## CONDITION

☐ EXCELLENT  
☐ GOOD  
☐ FAIR

☐ DETERIORATED  
☒ RUINS  
☐ UNEXPOSED

## CHECK ONE

☐ UNALTERED  
☒ ALTERED

## CHECK ONE

☒ ORIGINAL SITE  
☐ MOVED DATE \_\_\_\_\_

## DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

Fragments of a much older brick structure make up a part of the Millington Academy building, now converted into a medical office and residence. The present brick structure is seven bays long and one room deep, but the present four west bays have walls laid in Flemish bond on the facade and common bond at sides and rear and may date from the late 18th century. This structure houses an early Eastern Shore school, The Millington Academy. At that time, the structure was two stories high. It burned, however, and was rebuilt as the one story, six bay school house attended by many of Millington's older residents. The school house had two class rooms, an office, and a central hall with front and rear entrances. A central false gable remains over the door and this and the end gables are decorated with imbricated wooden shingles. There is a pitched metal roof, painted green; the walls are painted white. The present owners have added one bay to the length.

Very little remains of the earliest building; on the rear wall is a splayed flat arch above a window now bricked in. Other window openings appear to be rebuilt or later additions as is the front door. A chimney base positioned half outside the gable wall also survives.

Remaining Flemish bond brick of the facade is of good quality, well laid with narrow mortar joints. Its quality and bonding pattern suggest a building constructed in the late 18th century; however, Millington has at least two houses which show a survival of this bonding pattern well into the 19th century. No early details remain inside.

CONTINUE ON SEPARATE SHEET IF NECESSARY



# 8 SIGNIFICANCE

363

PERIOD		AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION	
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE	
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE	
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> ARCHITECTURE	<input checked="" type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN	
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER	
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION	
<input type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)	
		<input type="checkbox"/> INVENTION			

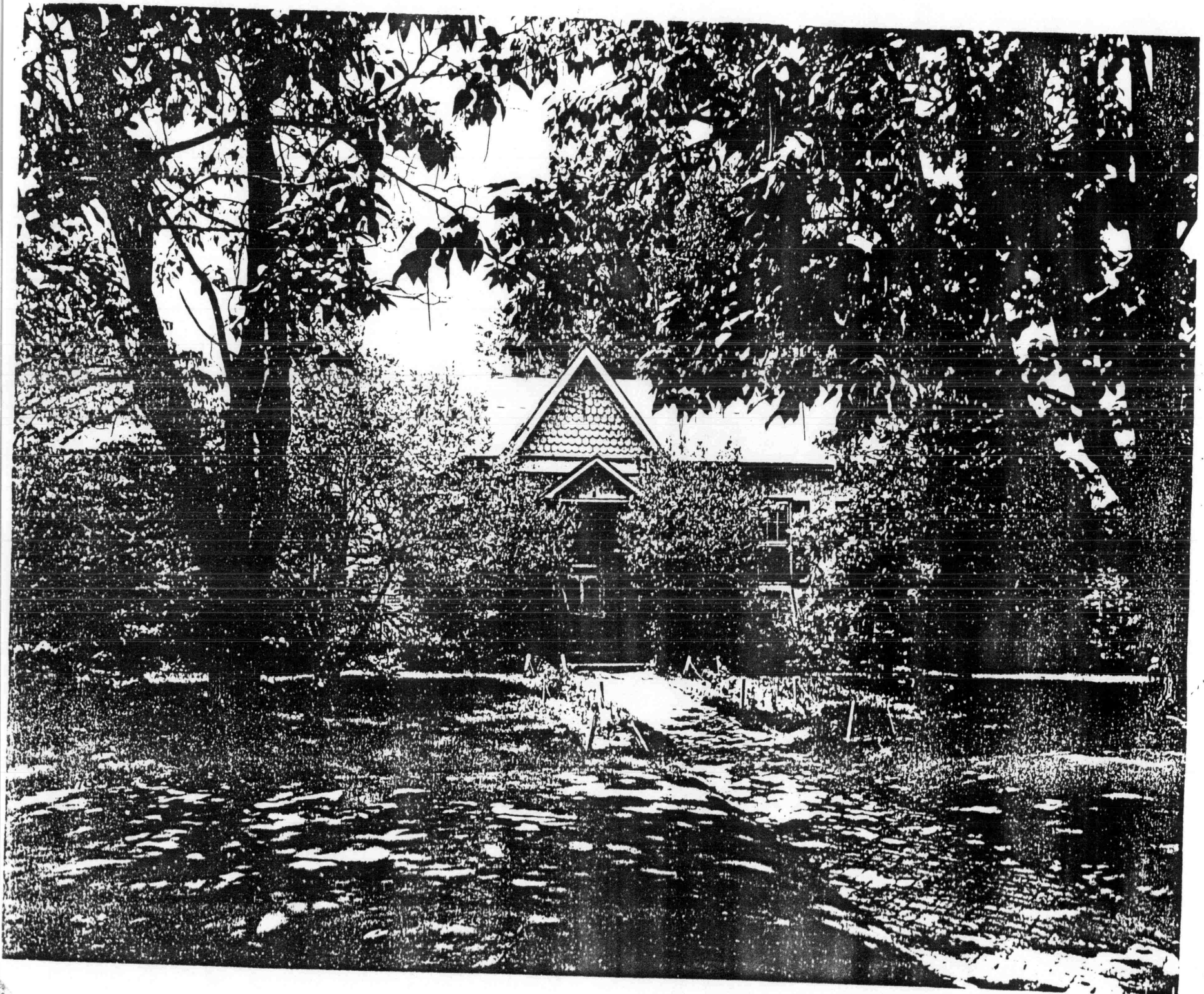
SPECIFIC DATES

BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

Architecturally the building is of interest primarily because of the incorporation of fragments of early building into a later one. The building is also important as the site of one of Millington's educational institutions.

CONTINUE ON SEPARATE SHEET IF NECESSARY



*Exhibit I*

5802 Bryn Mawr Road  
College Park, Maryland 20740  
February 16, 1993

Mr. James E. Thompson, Jr.  
Attorney at Law  
118 North Commerce Street  
Centreville, Maryland 21617

Dear Mr. Thompson:

I have received your letter of February 5 relative to Mr. William Nuttle who has undergone surgery. We were very sorry to hear this and want to wish Mr. Nuttle a speedy recovery.

In your letter of February 5 it is stated "A summation of our discussion was to the effect that he does not see what else he can do. He has run the original description, has located the original fence line between the two properties, as well as the tree line. He stated he will meet, if necessary, at his house but he sees no need for a meeting."

We are of the opinion that Mr. Nuttle agreed to do a resurvey of our property based upon the Ringgold to Crane Deed (3/19/1853:JFG 1/286) in our chain of title that he provided to us in a plat dated October 1992. Listed on the enclosed plat of October 1992 in which I sent to Mr. Nuttle and you with my letter of January 21 are the revisions that we would like Mr. Nuttle to include in his resurvey of the Melvin, Miller, and Booher Property. We do not feel the Plat of a Survey dated Jan. 1993 is what we agreed upon at our meetings with Mr. Nuttle on October 9, 1992 and November 16, 1992. A thorough review of this matter is given in my letter of January 21, 1993 to Mr. Nuttle with a copy to you.

In reviewing our notes for the meeting with Mr. Nuttle on November 16, 1992 I find that Mr. Nuttle agreed to have the resurvey of the Melvin, Miller, and Booher property completed by the end of November. At the meeting we also reviewed the property lines, and the fact that the names of the three owners (Clarence M. Melvin, Jr., Katherine Patricia Miller, and Linda Lou Booher) were to be given on the plat.

*Exhibit I*

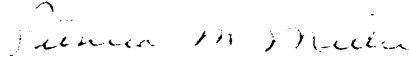
- 2 -

We failed to discuss with Mr. Nuttle on November 16, 1992 the Error of Closure and my husband, James R. Miller, phoned Mr. Nuttle on November 17, 1992 and Mr. Nuttle informed him that this wording would not appear on the resurvey. My husband again phoned Mr. Nuttle on November 30, 1992 to determine his progress on the resurvey. At that time he informed James R. Miller that he would begin the survey on December 1, 1992.

We are very sorry that Mr. Nuttle is ill and hope he is feeling better. After he has had an opportunity to recover we would appreciate very much him providing the resurvey that was agreed upon on November 16, 1992. As given in my letter of January 21, 1993 we will be glad to meet with Mr. Nuttle and you regarding this matter.

We look forward to hearing from you in the near future.

Sincerely,



Patricia M. Miller

Enclosure

cc: Linda Lou Booher  
Clarence M. Melvin, Jr.

William R. Nuttle  
REGISTERED SURVEYOR  
CHESTERTOWN, MARYLAND 21620

May 21, 1992.

J. Elmer Thompson, Jr., Atty.  
118 N. Commerce St.  
Centreville, Md. 21617

Dear Elmer:

First, let me apologize for the delay in getting back to you about the Melvin lot in Millington.

You gave me three deed references to look up. One referred to a land record book that does not exist or, at least, I could not find. One gave such a general description that it is useless. The third, however, was a winner. The deed from Thomas Ringgold to Thomas Crane gives a description that with a little interpretation is most revealing. The distances given as 11 degrees 40 perches and 5 perches 20 perches are in reality 11.40 and 5.20 perches. One distance shown as 70 p. 20 p. should be 20.20 perches instead. When this is done, it plots amazingly well and fits what exists. I have enclosed a sketch showing my survey and this description.

The Melvin description in Parcel 2 of EHP 170/171 is of a lot bounded on the west by the academy lot. Hager's description makes reference to a distance from the brick school, and also claims the land between the academy lot and the river. I talked to Mr. Hager about the discrepancy between the existing fence and a line 50' off of the building. He indicated to me that as far as he knew the present house was the one referred to. He showed me a recent "house location" by a surveyor showing the property line 50' from the side of the building. Without any description from the Melvin deed, I observed the 50' offset.

Give me a call if I can be of any help.

Sincerely yours,

*Bill*

May 21, 1992.

J. Elmer Thompson, Jr., Atty.  
118 N. Commerce St.  
Centreville, Md. 21617

Dear Elmer:

First, let me apologize for the delay in getting back to you about the Melvin lot in Millington.

You gave me three deed references to look up. One referred to a land record book that does not exist or, at least, I could not find. One gave such a general description that it is useless. The third, however, was a winner. The deed from Thomas Ringgold to Thomas Crane gives a description that with a little interpretation is most revealing. The distances given as 11 degrees 40 perches and 5 perches 20 perches are in reality 11.40 and 5.20 perches. One distance shown as 70 p. 20 p. should be 20.20 perches instead. When this is done, it plots amazingly well and fits what exists. I have enclosed a sketch showing my survey and this description.

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Give me a call if I can be of any help.

Sincerely yours,

McGinnis - 43/743

Begin S side Cypress at NW cor. herein at east boundary  
of Collins

w/rd E dir. 57 to Bottomley  
It ks S dir. w/ Bottomley 206'4"  
w/ Bottomley E dir. 52'6" to Curlett  
It ks S dir. 186 to river  
w/ river W dir. 109 to Collins  
It ks N dir. 392'4" to begin



7/397

EHP 170/171 Melvin

Parcel 1

Begin cement curb on S side Cypress St. on line of  
passage

w/ passage S  $19\frac{1}{2}^{\circ}$ W - 209'  $\frac{1}{4}$  to N side lane or alley to  
Sensafear St.

w/ lane S  $60^{\circ}12'E$  - 46 to Hazel

w/ S N  $24^{\circ}18'E$  - 67

N  $18^{\circ}48'E$  - 151' 9" to curb on Cypress

w/ S N  $72^{\circ}$ W - 46 to begin.

Being RAS 6/301

Parcel 2 - land bounded east by Blackiston, S by river  
W by Academy lot, N by Cypress St.  
 $1\frac{1}{2}$  ac.  $\pm$

Being RAS 30/18

Brown 278/266

Begin NE cor. of adjoining lot

S  $19^{\circ}$ W - 354' to low water

w/ S S  $62^{\circ}$ E - 54 to Blackiston

w/ S N  $19^{\circ}$ E - 354 to Cypress St.

w/ S N  $75^{\circ}$ W - 50 to begin

Hager 273/146

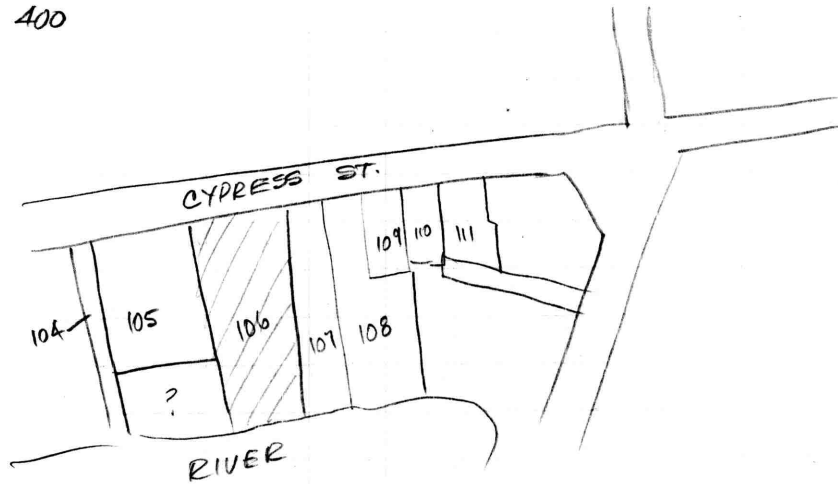
Begin stone S side Cypress St. at NW cor. Academy lot.  
48' westward from W end of brick school house extended to  
S side Cypress

w/ Cypress S  $76^{\circ}$ E - 138 to stone 50' east of brick school  
house at st. 45 200' for breadth of 138'

Together with right to land from rear of lot to river



MAP 400



104	Ralph Wilson, Jr.	192/326
✓ 105	Robt. D. Hager	273/146
✓ 106	Clarence Melvin, Jr.	170/171
✓ 107	Benjamin Brown	278/266
108	Paul McGinnis	43/743

Wilson - 192/326

0.14 ac. - Lot 4 in Chancery WHG 3/294

25' x 270 ± - see SGF 3/526

Lot bounded E by Academy  
                   S by water  
                   W by Leunig  
                   N " Cypress St.  
 dist of 50' on Cypress & 50' on water

December 5, 1992.

Mrs. Katherine P. Miller  
5802 Bryn Mawr Rd.  
College Park, Md. 20740

Dear Mrs. Miller:

I am addressing this to you because I did not remember Mr. Miller's first name.

I talked to Elmer Thompson about a formal letter to Mr. Hager allowing me to go on the disputed property in Millington. I said that I thought that it would be better if I simply asked his permission, and Elmer agreed. On Tuesday and Wednesday of this week I stopped by Mr. Hager's house without finding him in, and I was finally able to reach him on the phone Thursday evening. I explained the situation and he was very cordial. He did say, however, that he preferred that I wait until all of the depositions had been signed and returned. I do not quite understand what difference that would make, but told him that I would wait.

I did have the opportunity to locate the two front corners of the Hager house by triangulation from the road. The length is 79.90'. Incidentally, the distance from the line that I had originally established 50' from the brick academy building to the board fence on the other side of the Hager lot is almost exactly the width that his deed calls for.

I will wait for further instructions.

Sincerely yours,

JE1/91 James Spear to Thos. Ringgold  
Lot in Melington w/ large 2-sty brick dug. & outhouses.  
JNG 7/146

Also lot on north side of extension of Smyrna road.  
as it extends westward towards river and along the fronts?  
of the houses of Jos. Knight, Benj. Kirby and the academy lot.  
JNG 9/101

~~JFG1/286 - Lot in Clertown~~

JFG1/286 - Thos Ringgold to Thos Crane  
Begin NE cor. of Academy lot

S15°W - 11° 40' paces?

N75°W - 7° sity p.

S16½°W - 5 p & 20p.

S61°E - 16 & 56 p.

N17½°E - 70 p 20p. 20.2?

N77°W - 9° 16 p. to begin

1A 12 18 P

E.C. S10° 29' 12" W - 12.31

188.10

125.40

85.80

273.24

333.30

1158.30

151.14

4768.50 4805.82

4453.90 5145.03

4987.90 4997.76

# Exhibit C

John Speakman -

Thomas Gilpin Esq.

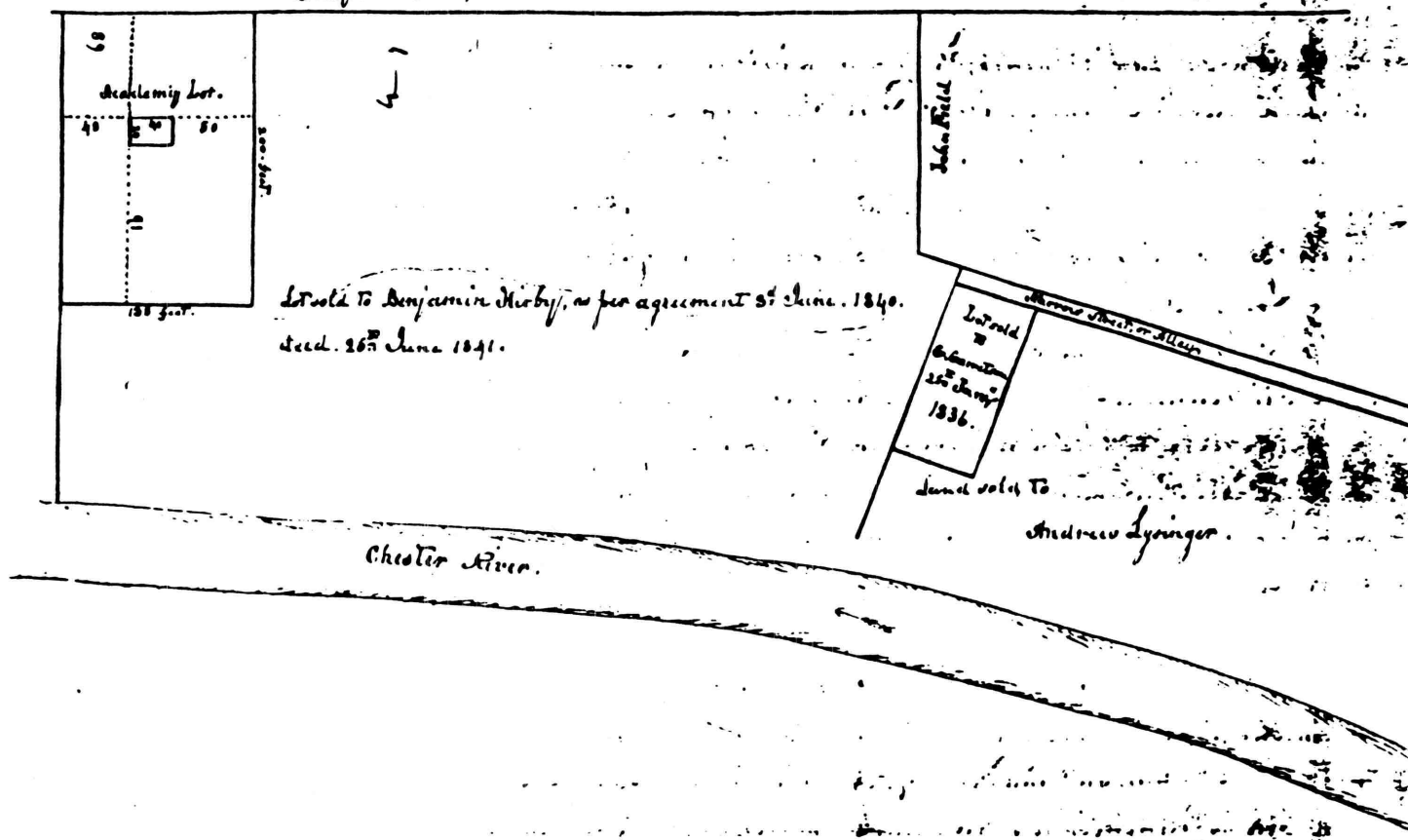
Received on the day of the date of the within Indenture from the said Benjamin Kirby, the full sum of three hundred and fifty dollars consideration money therein mentioned -

Witness - Charles Gilpin and John Speakman -

City of Philadelphia - State of Pennsylvania set. Be it Remembered, that on the twenty-fifth day of the year of our Lord eighteen hundred and forty-one, before me Charles Gilpin Esquire, Commissioner for the of Maryland and resident in Pennsylvania to take acknowledgements - personally appears Thomas Gilpin he knows to me to be the person named and described as, and proposing to be party to the annexed and foregoing Indenture and Instrument of writings, and acknowledges the same to be his act and deed, and desires the same to be recorded as such - In testimony whereof, I have hereunto set my hand and affixed my of Seal on the day and year aforesaid - Charles Gilpin, Commissioner



Indenture Road, or Street



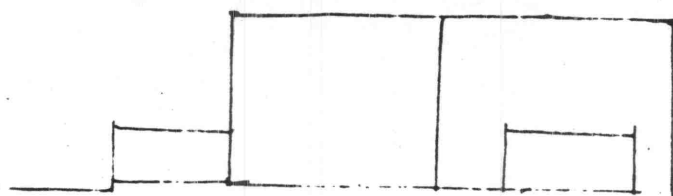
And the foregoing deed was accordingly recorded among the Land Records of Kent County, by Joseph F. Reed

Eli Plummer and Eliza Plummer,  
his wife, do, Joseph Reed & Deed,  
Rec<sup>d</sup> December 11<sup>th</sup> 1841 -

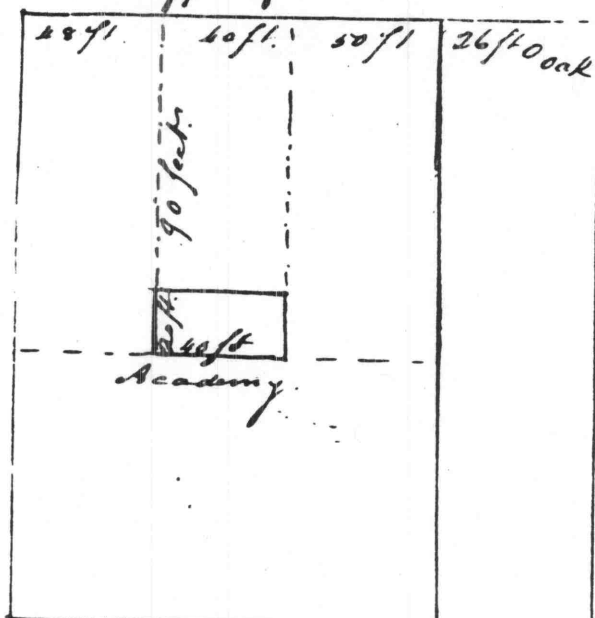
Be it Remembered that on this eleventh day of December in the year of our Lord, one thousand eight hundred and forty-one, a deed was brought to be recorded among the Land Records of Kent County, in the following words, to wit: This Indenture made the eighth day of December in the year Eighteen hundred and forty-one, between Eli Plummer and Eliza Plummer, his wife, of Kent County in the State of Maryland of the one part, and Joseph Reed of the County and State aforesaid of the other part, Witnesseth, that the said Eli Plummer and Eliza Plummer for and in consideration of the sum of three hundred and thirty dollars eighty-five cents current money of the United States to them in hand paid by the said Joseph Reed before the sealing and delivery of these presents, the receipt whereof they the said Eli Plummer and Eliza Plummer do hereby acknowledge and from every part and parcel thereof do hereby acquit, release, discharge the said Joseph Reed his heirs, executors and administrators, they the said Eli Plummer and Eliza Plummer, have granted, bargained, sold, aliened, enfeoffed and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff, and confirm unto the said Joseph Reed his heirs and assigns all that certain tract or parcels of land and estate of the said Eli Plummer and Eliza Plummer, of in and to, all that tract, part, parcel, tract, or those tracts of Land or parcels of Land lying and being in Kent County aforesaid, called by the name of

Exhibit C

Copy of the original grant - To Thomas Gilpin  
 I do hereby agree to grant and convey and assure to William  
 Gilbert and Samuel Groom of Pocomoke County and William  
 Harrell of Kent County, Maryland a Lot of ground as hereinafter described  
 for a School House and meeting house as hereinafter mentioned or to their  
 successors under appointment by the subscribers or a single or all the same  
 or to such trustees as may be appointed by the State of Maryland to carry  
 the designs of the subscribers into effect - The said Lot to be situated  
 between the street or road leading to the Landing, and Chester River, to  
 be bounded on the north by the said street or road, and to occupy a convenient  
 space of a piece or rising ground between two valleys next west of a lot now  
 held in tenure by William Scott - The object of this donation being to  
 accommodate the citizens of this Village with ground for a school house  
 before mentioned together with the occasional use thereof for a meeting  
 for public worship at times when it will not interfere with the said school  
 Reserving however that in case the said school be wholly given up or  
 removed at some future time to come the said Lot shall not be sold but  
 revert to the use of the said grantor his heirs or assigns, and further  
 agreeing on the part of the said Trustees that the said Lot shall not be  
 any time used for interment or as a burial ground for any persons of this  
 Society  
 Done at Chester February 22<sup>nd</sup> 1813.  
 Thomas Gilpin



Copy of Street



Chester River

and Rachel Rochester his wife the persons acknowledging as aforesaid, are the identical persons who are named and described as and professing to be the parties grantors, in said deed, conveyance or instrument of writing. 3/25/92  
 Taken and certified, the day and year above written. Wm. J. Lafelle.  
 Read June 3. 1853 of George Vickers Esq one dollar stamp duty chargeable by law on this deed. James H. Gordon clk.  
 And was accordingly recorded By. James H. Gordon clk.

FCI - 286

Thomas C. Ringgold & Sarah E. Ringgold. vs Thomas H. Crane.	Be it remembered that on this 7 <sup>th</sup> day of June in the year 1853. A deed was brought to be recorded among the land records of Kent County which is in the following words to wit:
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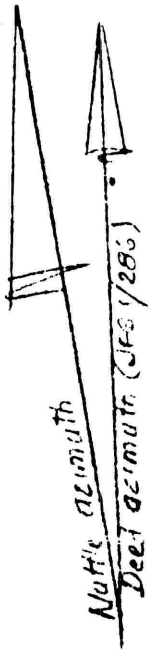
This indenture made this nineteenth day of March in the year of our Lord one thousand eight hundred and fifty three, Between Thomas C. Ringgold and Sarah Eliza his wife of Kent County State of Maryland of one part, and Thomas H. Crane of the County and State aforesaid of the other part Witnesseth, That the said Thomas C. Ringgold and Sarah Eliza his wife for and in consideration of the sum of two hundred and twenty five <sup>dollars</sup> current money to them in hand paid by the said Thomas H. Crane the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents doth grant bargain and sell unto the said Thomas H. Crane his heirs and assigns a certain lot of land lying and being in the Village of Millington - and County aforesaid and enclosed within metes and bounds as follows  
 Beginning at the North East Corner of the Academy lot and running South fifteen degrees West eleven degrees forty perches, then North seventy five degrees West seven degrees sixty perches, then South sixteen and one half degrees West five perches and twenty perches, then South sixty one degrees East sixteen <sup>or 16</sup> perches then North seventeen and one half degrees East seventy perches twenty perches then North seventy seven degrees West nine degrees sixteen perches to the place of beginning containing one acre one rood and eighteen perches: To have and to hold the aforesaid lot a part of a tract of land by whatever name or names the same may be called, together with all and singular the privileges and appurtenances thereto belonging or in any wise appertaining to the only proper use and benefit of the said Thomas H. Crane his heirs and assigns forever. In witness whereof the said Thomas C. Ringgold and Sarah Eliza his wife have hereunto set their hands and seals the day and year aforesaid.

Signed sealed and delivered

in presence of  
 Thomas Stewart John Talbot

Thomas C. Ringgold   
 Sarah E. Ringgold 

Kent County Set: Be it remembered that on this nineteenth day of March in the year of our Lord one thousand eight hundred and fifty three personally appeared Thomas C. Ringgold and Sarah Eliza his wife the parties grantors within named before the undersigned two Justices of the Peace of the State of Maryland in and for the County aforesaid and acknowledged the foregoing instrument to be their act and deed the laws and premises therein described to be the right and estate of Thomas H. Crane party grantor also therein named his heirs and assigns forever. And the



CYPRESS ST.

brick bldg. 50'

ROBERT HAGER

fence

My survey  
April 1990

Deed description  
JFG 1/286

B. Brown

CHESTER RIVER

CLARENCE MELVIN LANDS

Scale 1" = 50'



~~Note: The deed description in JFG1/286 requires some interpretation. For example, 11 degrees 40 perches is in reality 11.40 perches and 70 perches 20 perches is 20.20 perches. The location of the curb on Cypress St., the Brown property line, and the shore line is from my survey of 1992.~~

This line is to be extended in length to come over to wire fence-tree line which will change the distance given.

CYPRESS STREET

ROBT. HAGER

Error of closure  
S 10° 29' 12" W 12.31

This wording is not to appear on resurvey and the two lines are to be extended to meet at one given point.

Area is to be given on plat. Our calculations show it to be 1.403 Ac.±

BENJAMIN BROWN

CHESTER RIVER

PLAT OF A SURVEY OF THE  
CLARENCE M. MELVIN, JR., KATHERINE PATRICIA MILLER, AND  
LINDA LOU BOOHER LANDS

~~PLAT SHOWING ORIENTATION OF  
DEED DESCRIPTION JFG1/286~~

MILLINGTON, KENT COUNTY, MD.

Scale 1"=50'

Oct. 1992.

William R. Nuttle, Reg. Surveyor  
Chestertown, Md.



William R. Nuttle



Note: This survey is based upon the deed description in JEG 1/186 and the description of the academy lot of Robert Hager. Mr. Hager's claim to the area south-west of the academy lot has not been settled.

**CYPRESS STREET**  
back of curb  
walk

RALPH  
WILSON

ROBERT D. HAGER

AREA INCLUDED IN  
HAGER DEED - EHP 273/146

1.264 Ac. ±

N 63° 12' 40" W /  
62.15'

N 26° 38' W  
29.44'

N 56° 23' 10" W - 177.58'

**CHESTER RIVER**

BENJAMIN  
BROWN



**PLAT OF A SURVEY OF THE  
CLARENCE MELVIN, JR. LANDS  
MILLINGTON, KENT COUNTY, MD.**

Scale 1"=50'

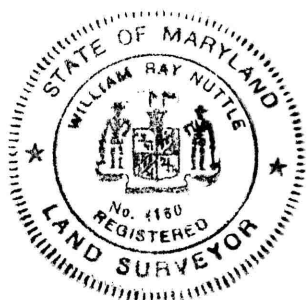
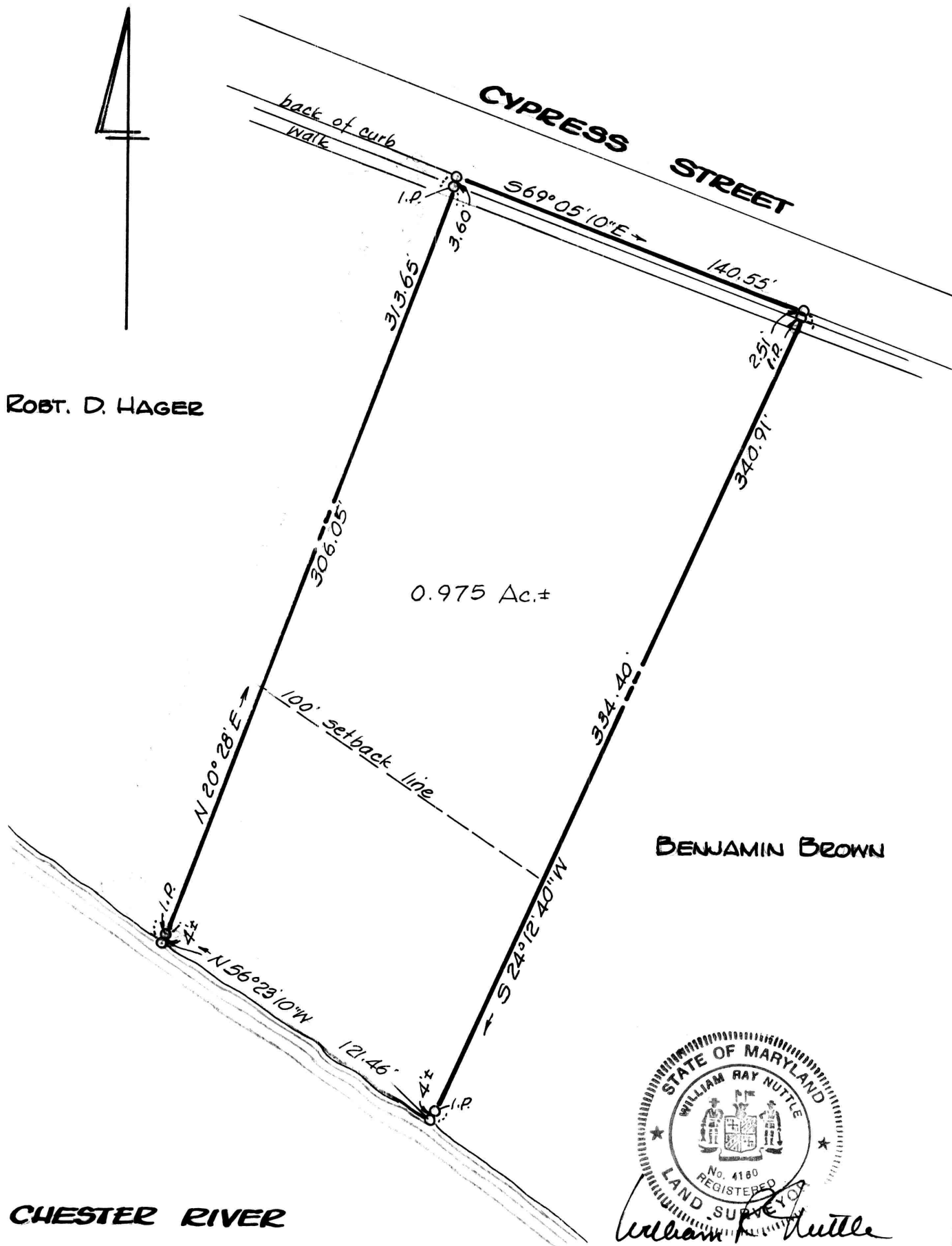
Jan. 1993.

William R. Nuttle, Reg. Surveyor  
Chestertown, Md.

I.P. = iron pipe

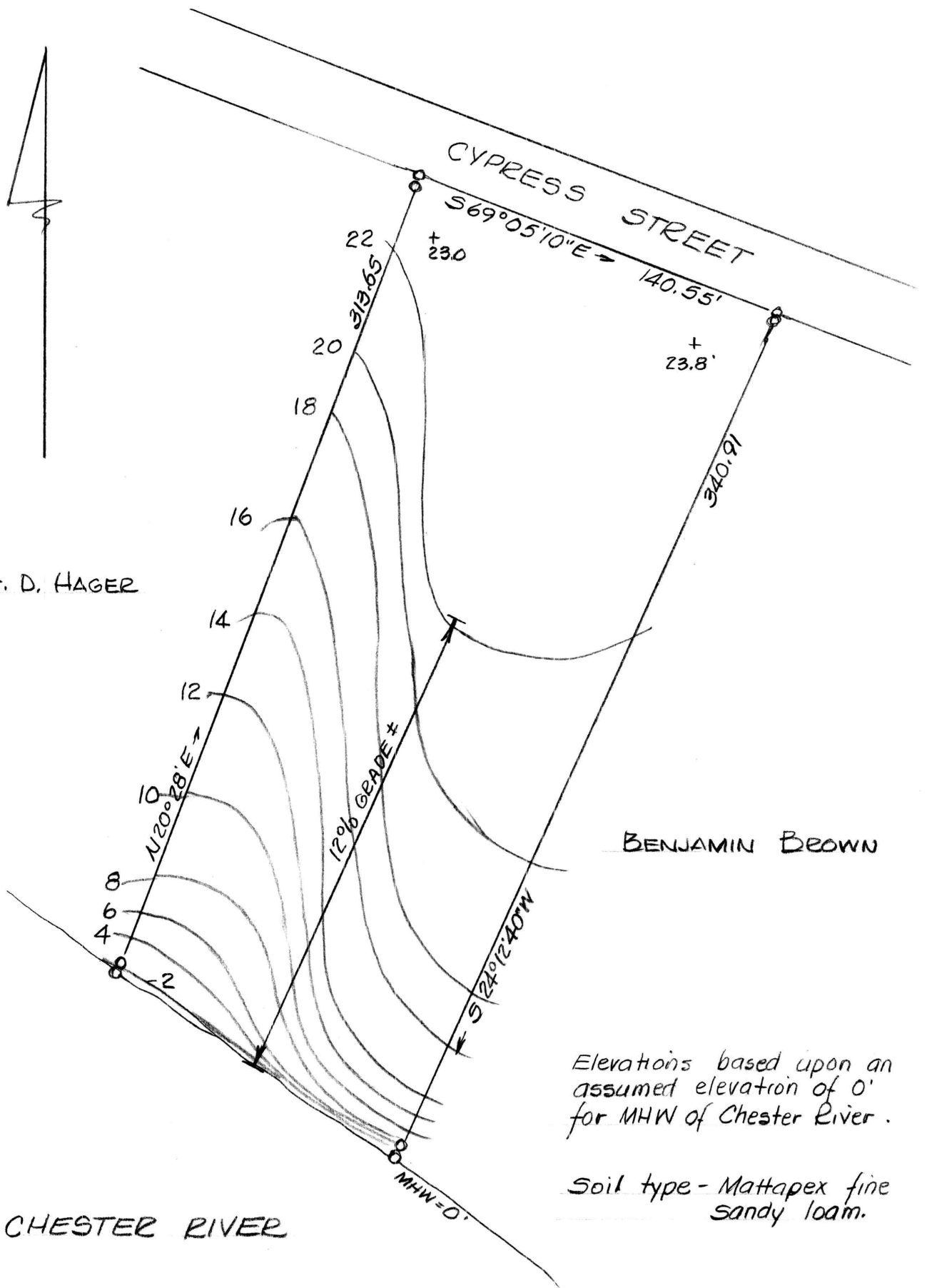


ROBT. D. HAGER



PLAT OF A SURVEY OF THE  
CLARENCE MELVIN, JR. LANDS  
MILLINGTON, KENT COUNTY, MD.  
Scale 1"=50' Apr. 1990.  
William R. Nuttle, Reg. Surveyor  
Chestertown, Md.

I.P. = iron pipe



ROBT. D. HAGER

BENJAMIN BROWN

Elevations based upon an assumed elevation of 0' for MHW of Chester River.

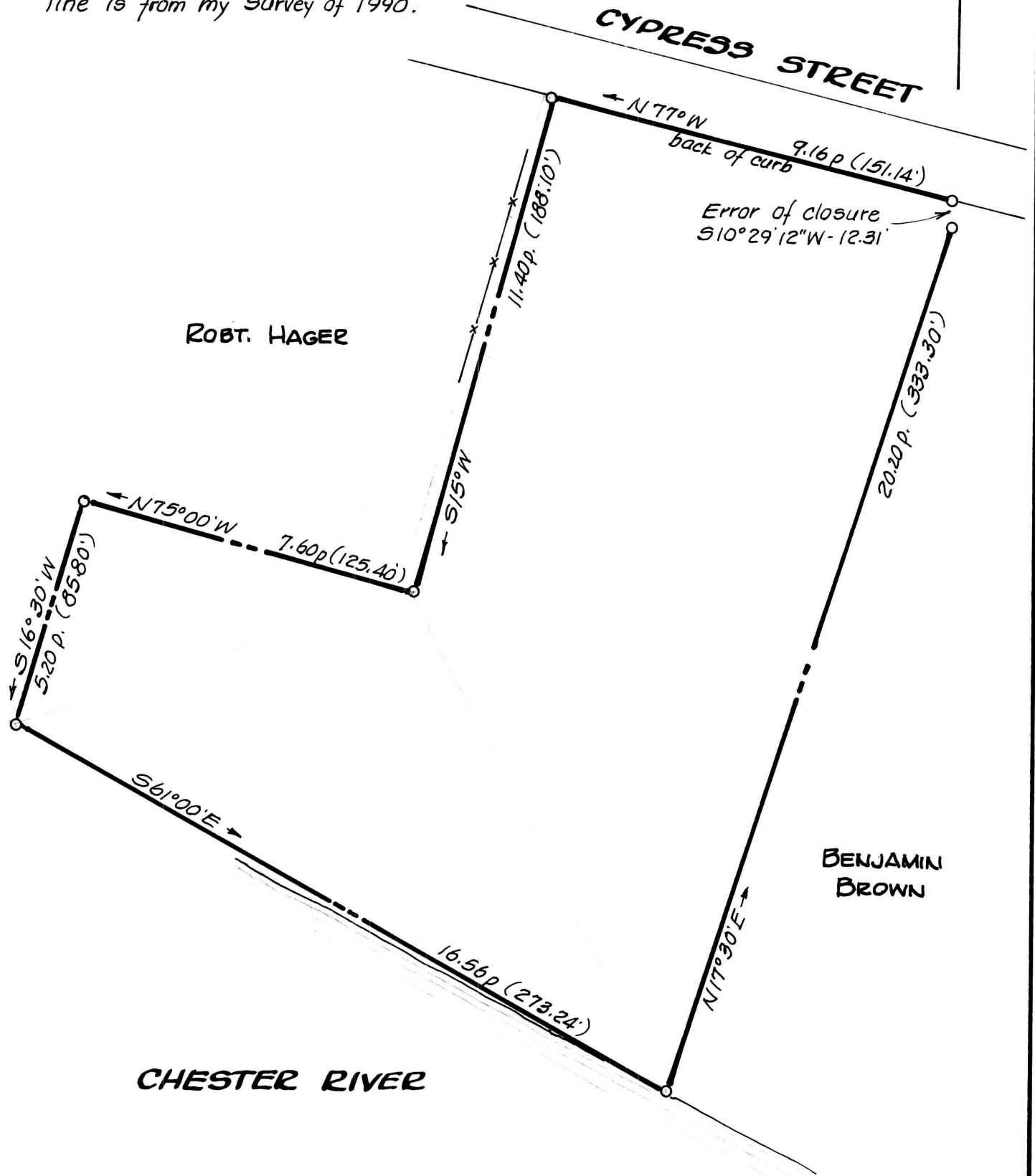
Soil type - Mattapex fine sandy loam.

TOPOGRAPHICAL SURVEY FOR  
CLARENCE MELVIN  
MILLINGTON, KENT COUNTY, MD.  
Scale 1"=50' Nov. 1991.

William R. Nuttle, Reg. Surveyor  
Chestertown, Md.



Note: The deed description in JFG1/286 requires some interpretation. For example, 11 degrees 40 perches is in reality 11.40 perches, and 70 perches 20 perches is 20.20 perches. The location of the curb on Cypress St., the Brown property line, and the shore line is from my survey of 1990.



**PLAT SHOWING ORIENTATION OF  
DEED DESCRIPTION JFG1/286**

**MILLINGTON, KENT COUNTY, MD.**

Scale 1"=50'

Oct. 1992.

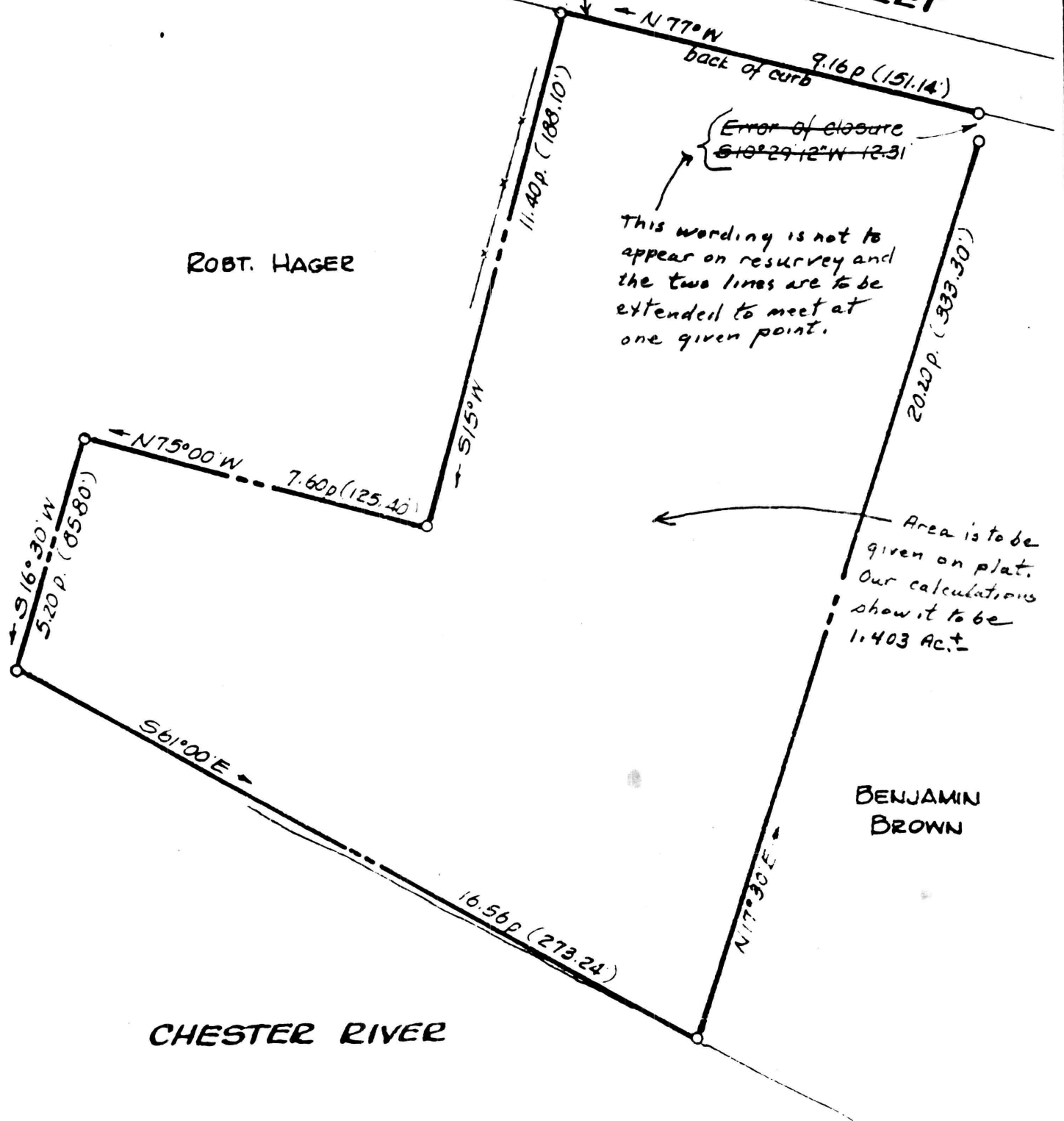
William R. Nuttle, Reg. Surveyor  
Chestertown, Md.

~~Note: The deed description in JFG1/286 requires some interpretation. For example, 11 degrees 40 perches is in reality 11.40 perches, and 70 perches 20 perches is 20.20 perches. The location of the curb on Cypress St., the Brown property line, and the shore line is from my survey of 1992.~~

This line is to be extended in length to come over to wire fence-tree line which will change the distance given.

CYPRESS STREET

ROBT. HAGER



CHESTER RIVER

BENJAMIN BROWN

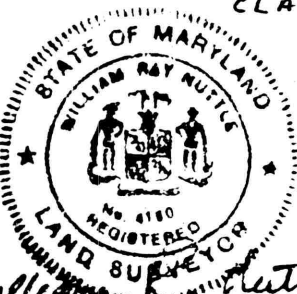
PLAT OF A SURVEY OF THE  
CLARENCE M. MELVIN, JR., KATHERINE PATRICIA MILLER, AND  
LINDA LOU BOOHER LANDS

~~PLAT SHOWING ORIENTATION OF  
DEED DESCRIPTION JFG1/286~~

MILLINGTON, KENT COUNTY, MD.

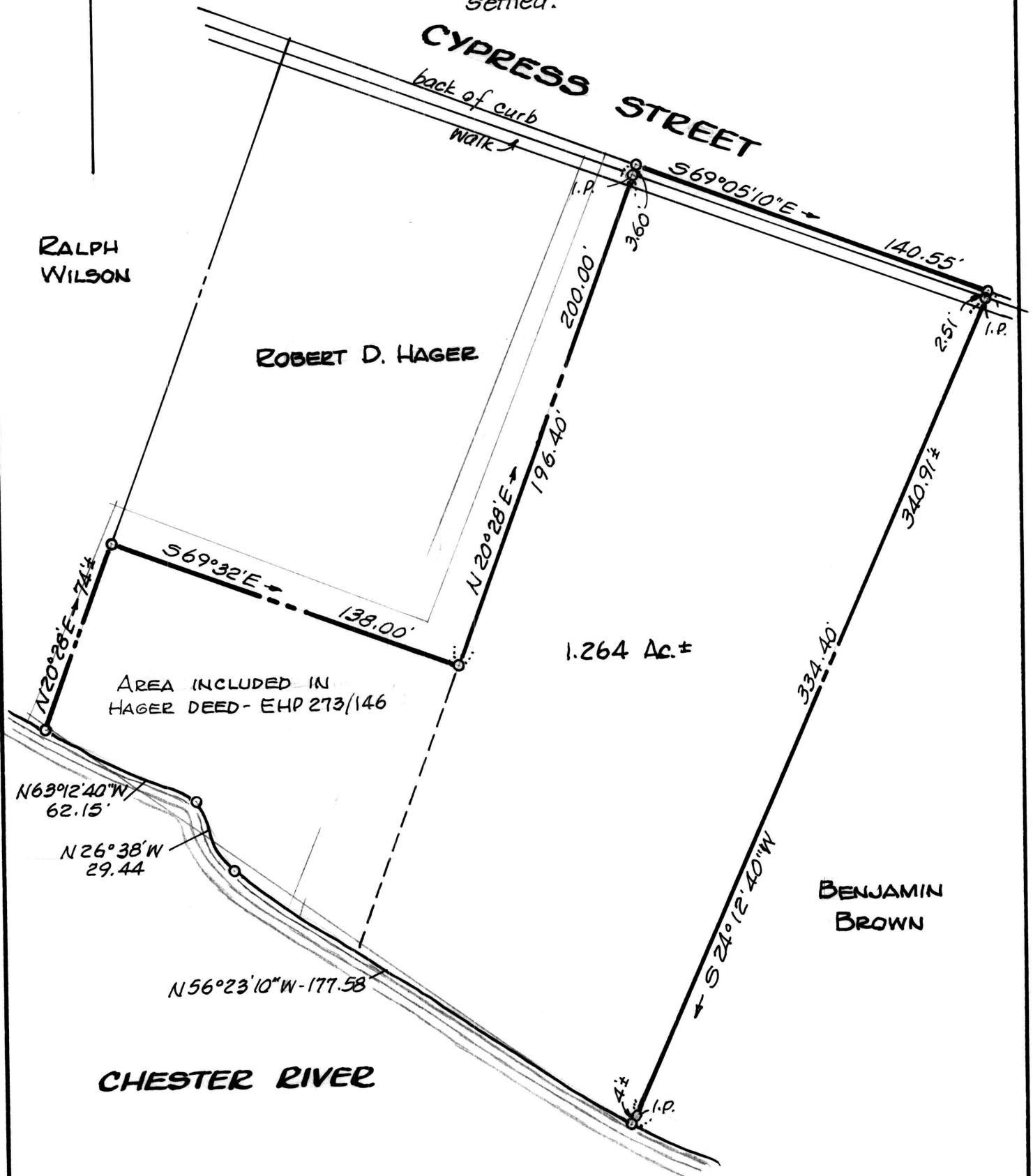
Scale 1"=50' Oct. 1992.

William R. Nuttle, Reg. Surveyor  
Cheatertown, Md.



William R. Nuttle

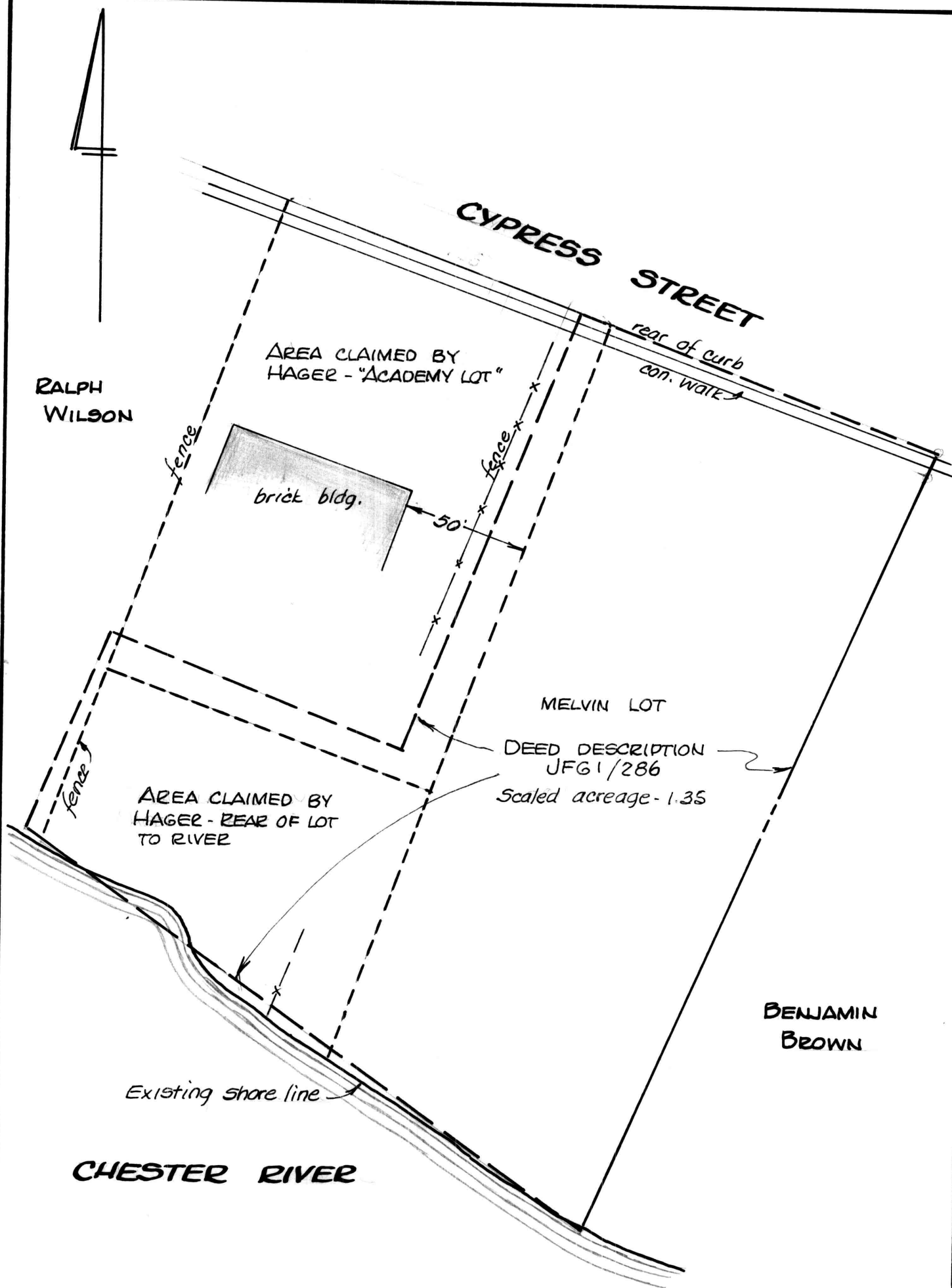
Note: This survey is based upon the deed description in JEG 1/186 and the description of the academy lot of Robert Hager. Mr. Hager's claim to the area south-west of the academy lot has not been settled.



**PLAT OF A SURVEY OF THE  
CLARENCE MELVIN, JR. LANDS  
MILLINGTON, KENT COUNTY, MD.**

Scale 1"=50' Jan. 1993.  
William R. Nuttle, Reg. Surveyor  
Chestertown, Md.

I.P. = iron pipe



PLAT SHOWING DISPUTED AREA BETWEEN  
**CLARENCE MELVIN ET. AL. & ROBT. HAGER**  
 MILLINGTON, KENT COUNTY, MD.  
 Scale 1"=50' May 1993.  
 William R. Nuttle, Reg. Surveyor  
 Chestertown, Md.